

**Baker & Hostetler LLP**

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*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

BENNETT M. BERMAN TRUST,

BENNETT & GERTRUDE BERMAN  
FOUNDATION, INC.,

Adv. Pro. No. 10-05293 (SMB)

THE ESTATE OF BENNETT M. BERMAN,

BERMAN FAMILY FOUNDATION,

JEFFREY BERMAN FOUNDATION,

JEFFREY A. BERMAN, individually, in his capacity as Trustee of the Bennett M. Berman Trust, in his capacity as trustee of the Jordan Finnegan Trust, and in his capacity as personal representative of the Estate of Bennett M. Berman,

HELAINÉ BERMAN FISHER, individually, in her capacity as Trustee of the Bennett M. Berman Trust, in her capacity as trustee of the Jordan Finnegan Trust, and in her capacity as personal representative of the Estate of Bennett M. Berman,

JORDAN FINNEGAN,

TRUST CREATED FOR THE BENEFIT OF JORDAN FINNEGAN UNDER SECTION 6.1 OF THE BENNETT M. BERMAN TRUST DATED MAY 9, 2003,

JUSTIN FINNEGAN, and

JEFFREY STAVIN, in his capacity as Trustee of the Bennett M. Berman Trust,

Defendants.

**NOTICE OF VOLUNTARY DISMISSAL OF CERTAIN DEFENDANTS WITH  
PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel Baker & Hostetler LLP, and pursuant to Rule 7041(a)(1)(A)(i) of the Federal Rules of Bankruptcy Procedure (making Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure applicable in adversary proceedings), hereby dismisses Helaine Berman Fisher,

Jordan Finnegan, the Trust Created for the Benefit of Jordan Finnegan under Section 6.1 of the Bennett M. Berman Trust Dated May 9, 2003, Justin Finnegan, the Berman Family Foundation, and the Bennett & Gertrude Berman Foundation, Inc. (the “Fisher, Finnegan and Foundation Defendants”), from the above-captioned adversary proceeding with prejudice. Pursuant to Bankruptcy Rule 7041(a)(1)(A)(i), the Trustee is permitted to voluntarily dismiss the Fisher, Finnegan and Foundation Defendants from this adversary proceeding without further order of the Court by filing this Notice of Dismissal as, as of the date hereof, the Fisher, Finnegan and Foundation Defendants have not served either an answer or a motion for summary judgment. Upon the dismissal of the Fisher, Finnegan and Foundation Defendants, the action shall continue against the remaining defendants and the caption for this proceeding is hereby amended to delete the Fisher, Finnegan and Foundation Defendants from the caption. The amended caption of the proceeding shall appear as indicated on Exhibit A to this stipulation.

Date: October 23, 2014  
New York, New York

BAKER & HOSTETLER LLP

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Trustee for the Liquidation of Bernard L.  
Madoff Investment Securities LLC*

**EXHIBIT A**

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THE ESTATE OF BENNETT M. BERMAN,

JEFFREY BERMAN FOUNDATION,

JEFFREY A. BERMAN, individually, in his  
capacity as Trustee of the Bennett M. Berman Trust,  
in his capacity as trustee of the Jordan Finnegan  
Trust, and in his capacity as personal representative  
of the Estate of Bennett M. Berman, and

JEFFREY STAVIN, in his capacity as Trustee of  
the Bennett M. Berman Trust,

Defendants.